

**To:** Grundler, Christopher[grundler.christopher@epa.gov]  
**Cc:** Bunker, Byron[bunker.byron@epa.gov]  
**From:** Dahl Mike (FCA)  
**Sent:** Mon 1/11/2016 10:21:29 PM  
**Subject:** FW: Call with EPA regarding Ex. 4 - CBI

Chris,

This is a follow-up to our call on Friday and to Byron's email below, to confirm that FCA takes very seriously the concerns your office has raised regarding certain aspects of the emissions control system of FCA US's (FCA) Ex. 4 - CBI. After you identified these concerns at the November 25, 2015 meeting with my staff, FCA has been engaged in extensive efforts to analyze the issues, have conducted our own bench and road emissions testing, have communicated throughout that time with your team, and have sought to respond to your inquiries transparently, and as rapidly as possible under the circumstances. We truly appreciate the significance of your concern that NO<sub>x</sub> emissions during certain operating modes have been identified. Of course, it's also important to consider the relevance of the justification (or explanation) for those modes.

As I indicated on the phone, and reiterate here, I commit to you that we have been and will continue to work diligently on this matter; I also commit to you that we will cooperate and communicate with your team transparently and in good faith to reach a complete and mutual understanding of the emissions control designs and strategies, the operating modes and calibrations, the rationale for the strategies, and the emissions impacts.

We clearly recognize that, based on your current understanding, you have concerns that the design and strategies raise potential compliance issues. Based on a complete and mutual understanding of the technical and factual information, it is then vitally important that FCA understands EPA's rationale for any remaining compliance concerns, and that EPA clearly communicates its rationale to FCA. We are hopeful that at our meeting on Wednesday, or soon as possible thereafter, we will achieve such a common understanding.

As I am sure you can appreciate, conclusions regarding possible noncompliance of FCA's engine design, especially as violating EPA's "defeat device" regulations, are conclusions of a legal nature with potentially significant regulatory and commercial consequences. We believe the best course is for both FCA and your team to reserve conclusions on that question until we both are comfortable that we fully and fairly have a mutual understanding of the complex technical facts of our emissions control strategy, of FCA's rationale for the strategies, and a full and complete

mutual understanding of your views. At that point, FCA is committed to cooperating with you to address any issues in an appropriate manner.

My staff and I look forward to meeting with your staff, as well as representatives of the ARB, on Wednesday. We appreciate your attention and understanding, and trust that you appreciate our active efforts to address this very important circumstance.

Sincerely,

**Mike Dahl**

*Head – Vehicle Safety and Regulatory Compliance*

FCA US LLC

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**From:** Bunker, Byron [<mailto:bunker.byron@epa.gov>]  
**Sent:** Thursday, January 07, 2016 8:20 AM  
**To:** Burns Vaughn (FCA)  
**Cc:** Wehrly, Linc  
**Subject:** Call with EPA regarding [Ex. 4 - CBI]  
**Importance:** High

Vaughn,

I would like to schedule a short phone call for Linc and me with you, Steve Mazure and if timely Michael Dahl for this afternoon. I am very concerned about the unacceptably slow pace of the efforts to understand the high NOx emissions we have observed from several [Ex. 4 - CBI] vehicles with the [Ex. 4 - CBI]. As was discussed with your team on November 25, at least one of

the AECDs in question appears to me violate EPA's defeat device regulations. I have copied those regulations below for your convenience.

Linc and I would like to briefly discuss our concerns today with the intent to schedule a meeting where FCA can come prepared to brief EPA and CARB in detail on the AECDs in question.

Our first preference is to talk today at 4:00 PM. Please confirm that a call at 4:00 is possible and the best number to call you at.

Thanks,

Byron

40 CFR 1803-01

*Defeat device* means an auxiliary emission control device (AECD) that reduces the effectiveness of the emission control system under conditions which may reasonably be expected to be encountered in normal vehicle operation and use, unless:

- (1) Such conditions are substantially included in the Federal emission test procedure;
- (2) The need for the AECD is justified in terms of protecting the vehicle against damage or accident; or
- (3) The AECD does not go beyond the requirements of engine starting

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Byron Bunker

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